

**Article 3: Zoning**  
**Division 5: Residential High Occupancy Permit**

**§123.0501 Purpose of Residential High Occupancy Permit**

The purpose of these procedures is to provide for annual review of high occupancy *single dwelling units* for conformance with the applicable zoning regulations by ensuring that high occupancy units provide adequate parking and minimize impacts to adjacent properties.

**§123.0502 When a Residential High Occupancy Permit Is Required**

(a) A Residential High Occupancy Permit is required for a *single dwelling unit* when the occupancy of the dwelling unit would consist of six or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days.

(1) Prior to the rental or sale of a *single dwelling unit*, the property owner shall disclose the requirement for a Residential High Occupancy Permit to prospective tenants.

(2) The Residential High Occupancy Permit requirement shall apply to a *single dwelling unit* described in Section 123.0502(a) regardless of whether six or more persons eighteen years of age and older resided in the dwelling unit prior to the effective date of this ordinance.

(b) Housing for senior citizens, residential care facilities, and transitional housing facilities are exempt from the requirement for a Residential High Occupancy Permit, but are otherwise subject to the use regulations in Chapter 14, Article 1.

[Language will be included in the implementing ordinance to set a phase in period to allow existing high occupancy dwelling units time without penalty to apply for the required Residential High Occupancy Permit.]

**§123.0503 How to Apply for a Residential High Occupancy Permit**

(a) Within 30 days of an increase in *single dwelling unit* occupancy that results in six or more persons eighteen years of age and older residing in a *single dwelling unit* for a period of 30 or more consecutive days, a

property owner shall apply for a Residential High Occupancy Permit in accordance with Section 112.0102.

- (b) The Residential High Occupancy Permit *application* and applicable fees shall be resubmitted annually by the property owner to ensure compliance with the provisions of this division.

**§123.0504 Decision on a Residential High Occupancy Permit**

- (a) A decision on an application for a Residential High Occupancy Permit shall be approved in accordance with Process One.
- (b) The *applicant* shall demonstrate on submitted plans that one off-street parking space per occupant eighteen years of age and older, less one will be accommodated on the *premises*. In cases where an occupant eighteen years of age and older does not have a vehicle or a valid driver's license, the *applicant* shall provide evidence to the satisfaction of the City Manager to demonstrate the need for a lower parking requirement, which shall be documented in the permit record.
- (c) In case of conflict between the requirements of this section and the Parking Impact Overlay Zone, the higher of the applicable parking requirements shall apply.
- (d) Parking spaces shall conform to regulations in Chapter 14, Article 2.

**§123.0505 Issuance of a Residential High Occupancy Permit**

- (a) The City Manager shall issue the Residential High Occupancy Permit when the required fees have been paid, a copy of the lease agreement has been provided, and the permit has been approved.
- (b) A Residential High Occupancy Permit shall not be issued to a property with a pending code violation case.
- (c) The permit shall be valid for a 12 month period, except that an increase in occupancy or the number of vehicles in excess of that authorized under the permit shall require a new permit application and fees.

**§123.0506 Enforcement and Administrative Remedies**

Violations shall be subject to the identified enforcement and administrative remedies identified in Chapter 12, Article 1, including revocation of a previously approved Residential High Occupancy Permit in the event two or more administrative enforcement actions are taken regarding the subject property within a calendar year. The City shall have the authority to recover costs from the

applicant associated with staff time investigating legitimate complaints that result in the issuance of a citation.

### §131.0422 Use Regulations Table for Residential Zones

The uses allowed in the residential zones are shown in the Table 131-04B.

Legend for Table 131-04B

Symbol In Table 131-04B	Description Of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

**Table 131-04B**  
**Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																											
	1st & 2nd >>  3rd >>  4th >>	RE-			RS-														RX-		RT-								
		1-			1-														1-		1-								
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4					
<b>Residential</b>																													
<b>Group Living Accommodations</b>		-	-														-	-											
<i>Mobilehome Parks</i>		-	p <sup>(1)</sup>														p <sup>(1)</sup>	-											
<i>Multiple Dwelling Units</i>		-	-														-	-											
<i>Single Dwelling Units</i>		P	p <sup>(11)</sup>														p <sup>(11)</sup>	p <sup>(11)</sup>											
<b>Separately Regulated Residential Uses</b>																													
<i>Boarder &amp; Lodger Accommodations</i>		L	L														L	L											
Companion Units		L	L														L	L											
Employee Housing:																													
6 or Fewer Employees		L	L														L	L											
12 or Fewer Employees		-	-														-	-											
Greater than 12 Employees		-	-														-	-											
Fraternities, Sororities and Student Dormitories		-	-														-	-											
Garage, Yard, & Estate Sales		L	L														L	L											
Guest Quarters		N	N														N	-											
Home Occupations		L	L														L	L											

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Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																							
	1st & 2nd >>	RE-			RS-														RX-		RT-				
		3rd >>	1-			1-														1-		1-			
			4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3
Housing for Senior Citizens		C			C														C		C				
Live/Work Quarters		-			-														-		-				
Residential Care Facilities:																									
6 or Fewer Persons		P			P														P		P				
7 or More Persons		C			C														C		C				
Transitional Housing:																									
6 or Fewer Persons		P			P														P		P				
7 or More Persons		C			C														C		C				
Watchkeeper Quarters		-			-														-		-				

Footnotes for Table 131-04B

- 1 Development of a *mobilehome park* in any RS or RX zone is subject to Section 143.0302.
- 2 Development of a *mobilehome park* in the RM zones is subject to Section 143.0302.
- 3 This use is permitted only if as an *accessory use*, but shall not be subject to the *accessory use* regulations in Section 131.0125.
- 4 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 5 Non-owner occupants must reside on the *premises* for at least 7 consecutive calendar days.
- 6 Two *guest rooms* are permitted for visitor accommodations per the specified square footage of lot area required per dwelling unit (maximum permitted *density*), as indicated on Table 131-04G.
- 7 See Section 131.0423(c).
- 8 See Section 131.0423(a).
- 9 See Section 131.0423(b).
- 10 Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres. Maintaining, raising, feeding, or keeping of swine is not permitted.
- 11 A Residential High Occupancy Permit is required in accordance with Section 123.0502 for a *single dwelling unit* when the occupancy of the dwelling unit would consist of six or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days.

**§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios**

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

**Table 142-05B**  
**Minimum Required Parking Spaces for**  
**Single Dwelling Units and Related Uses**

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit <sup>(1)</sup>
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> (previously conforming parking regulations in Section 142.0510 (d) do not apply) <sup>(2)</sup>
High occupancy <i>single dwelling units</i> subject to Section 123.0502	1 space per occupant eighteen years of age and older, less one space (previously conforming parking regulations in Section 142.0510 (d) do not apply)
Housing for senior citizens (maximum 1 bedroom)	1 space per dwelling unit

Footnotes for Table 142-05B

- 1 *Single dwelling units* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to Section 142.0525(c)(4).
- 2 In campus impact areas, new *single dwelling unit development* with 5 or more *bedrooms* shall provide a minimum of 2 parking spaces in a garage. Where an existing garage is proposed for conversion to habitable area, garage parking shall be replaced with an equivalent number of garage parking spaces on the *premises*.